

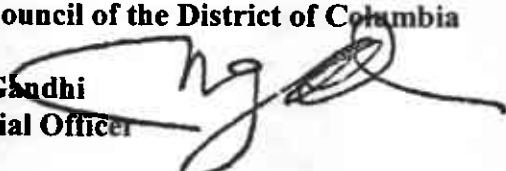
**Government of the District of Columbia
Office of the Chief Financial Officer**

Natwar M. Gandhi
Chief Financial Officer



MEMORANDUM

TO: The Honorable Linda W. Cropp
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: JUL -5 2005

SUBJECT: Fiscal Impact Statement: "Uniform Child Witness Testimony
by Alternative Methods Act of 2005"

REFERENCE: Bill Number 16-144

Conclusion

Funds are sufficient in the FY 2005 and the Mayor's proposed FY 2006 through FY 2009 budget and financial plan to implement the proposed legislation because no additional staff or resources would be required.

Background

The proposed legislation would provide a framework for allowing a child-witness to testify by means other than in an open forum and in the presence and full view of all parties upon a showing of good cause. Where in a criminal proceeding a child-witness would suffer serious emotional trauma such that his or her ability to communicate would be substantially impaired, or where in a non-criminal proceeding it is necessary to serve the best interests of the child, the Superior Court may allow the child-witness to testify by alternative means. If an alternative means to testify is used, it must be no more restrictive than necessary, and must allow for full and fair examination or cross-examination of the child-witness.

Financial Plan Impact

Funds are sufficient in the FY 2005 and the Mayor's proposed FY 2006 through FY 2009 budget and financial plan to implement the proposed legislation because no additional

staff or resources would be required. Appropriated funds and staff are provided for these purposes. The proposed legislation would provide the Superior Court a framework through which to hear testimony by alternative means, but does not require or specify any particular means. Federal and local anti-deficiency laws¹ prohibit District officers and employees from exceeding appropriations in any fiscal year.

¹ Anti-deficiency laws 31 U.S.C. § 1341 (2000) and D.C. Official Code § 47-355.01 *et. Seq.* (2003)